

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X		
In re:	:	Bankruptcy Case No. 08-01789 (SMB)
	:	SIPA LIQUIDATION
BERNARD L. MADOFF INVESTMENT	:	
SECURITIES LLC,	:	(Substantively Consolidated)
	:	
Debtor.	:	
	:	
----- :		
IRVING H. PICARD, Trustee for the	:	
Liquidation of Bernard L. Madoff	:	
Investment Securities LLC,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Adv. Pro. No. 09-1364 (SMB)
	:	
HSBC BANK PLC, et al.,	:	
	:	
Defendants.	:	
----- X		

**STIPULATION EXTENDING TIME TO ANSWER, MOVE, OR OTHERWISE  
RESPOND WITHOUT FURTHER COURT ORDER**

WHEREAS, on December 5, 2010, the plaintiff, Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff, filed an amended complaint (the “Amended Complaint”) in this adversary proceeding;

WHEREAS, the undersigned parties have entered into stipulations pursuant to which they have received extensions of time to move, answer, or otherwise

respond to the Amended Complaint, subject to the further conditions and agreements specified in such stipulations;

WHEREAS, on December 11, 2013, the Bankruptcy Court for the Southern District of New York (the “Court”) entered an order (the “Supplemental Authority Order”) granting supplemental authority for parties to an adversary proceeding to stipulate to, among other matters, extensions of time (through no later than July 18, 2014) to move, answer, or otherwise respond to the operative complaint in such proceeding without further Court order; and

WHEREAS, defendants UniCredit S.p.A., Pioneer Alternative Investment Management Limited, UniCredit Bank Austria AG, HSBC Bank plc, HSBC Holdings plc, HSBC Securities Services (Luxembourg) S.A., HSBC Institutional Trust Services (Ireland) Limited, HSBC Securities Services (Ireland) Limited, HSBC Institutional Trust Services (Bermuda) Limited, HSBC Bank USA, N.A., HSBC Securities Services (Bermuda) Limited, HSBC Bank (Cayman) Limited, HSBC Private Banking Holdings (Suisse) S.A., HSBC Private Bank (Suisse) S.A., HSBC Fund Services (Luxembourg) S.A., and HSBC Bank Bermuda Limited have requested a further extension of time to answer, move or otherwise respond to the Amended Complaint.

IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel as follows:

1. The time for the defendants listed above to answer, move or otherwise respond in adversary proceeding No. 09-1364 (SMB) shall be extended up to and including July 18, 2014;

2. Except as they may have specifically waived defenses as to proper service in prior stipulations, all parties hereto reserve, and specifically do not waive, any arguments, objections, rights, and defenses (including, without limitation, jurisdictional and venue defenses) available to each of them in Adversary Proceeding No. 09-1364 (SMB) and entry into this Stipulation shall not impair or otherwise affect such arguments, objections, rights and/or defenses, including any challenges to personal jurisdiction, venue, or the jurisdiction of this Court or any other court; and

3. To facilitate filing, the parties hereto agree that (a) electronic or pdf versions of their respective signatures shall be regarded as originals for purposes hereof, and (b) this Stipulation may be filed electronically and deemed served without further order from the Court, as provided in the Supplemental Authority Order.

<u>s/ Oren J. Warshavsky</u> Baker & Hostetler LLP 45 Rockefeller Plaza New York, New York 10111 Telephone: (212) 589-4200 Facsimile: (212) 589-4201 Oren Warshavsky Email: <a href="mailto:owarshavsky@bakerlaw.com">owarshavsky@bakerlaw.com</a> Lan Hoang Email: <a href="mailto:lhoang@bakerlaw.com">lhoang@bakerlaw.com</a> Geoffrey A. North Email: <a href="mailto:gnorth@bakerlaw.com">gnorth@bakerlaw.com</a>	<u>s/ Marco E. Schnabl</u> Skadden, Arps, Slate, Meagher & Flom LLP Four Times Square New York, New York 10036 Telephone: (212) 735-3000 Facsimile: (212) 735-2000 Marco E. Schnabl Email: <a href="mailto:marco.schnabl@skadden.com">marco.schnabl@skadden.com</a> Susan L. Saltzstein Email: <a href="mailto:susan.saltzstein@skadden.com">susan.saltzstein@skadden.com</a>
<i>Attorneys for Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff</i>	<i>Attorneys for Defendants UniCredit S.p.A. and Pioneer Alternative Investment Management Limited</i>

<u>s/ Franklin B. Velie</u> Sullivan & Worcester LLP 1633 Broadway New York, New York 10019 Telephone: (212) 660-3000 Facsimile: (212) 660-3001 Franklin B. Velie Email: fvelie@sandw.com Jonathan G. Kortmansky Email: jkortmansky@sandw.com	<u>s/ Thomas J. Moloney</u> Cleary Gottlieb Steen & Hamilton LLP One Liberty Plaza New York, New York 10006 Telephone: (212) 225-2000 Facsimile: (212) 225-3999 Thomas J. Moloney Email: tmoloney@cgsh.com David E. Brodsky Email: dbrodsky@cgsh.com
<i>Attorneys for UniCredit Bank Austria AG</i>	<i>Attorneys for Defendants HSBC Bank plc, HSBC Holdings plc, HSBC Securities Services (Luxembourg) S.A., HSBC Institutional Trust Services (Ireland) Limited, HSBC Securities Services (Ireland) Limited, HSBC Institutional Trust Services (Bermuda) Limited, HSBC Bank USA, N.A., HSBC Securities Services (Bermuda) Limited, HSBC Bank (Cayman) Limited, HSBC Private Banking Holdings (Suisse) S.A., HSBC Private Bank (Suisse) S.A., HSBC Fund Services (Luxembourg) S.A., and HSBC Bank Bermuda Limited</i>
DATED: May 7, 2014 New York, New York	